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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,709	08/30/2001	Hiroki Homma	Q66038	6250

7590 03/28/2006

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EXAMINER

KANG, PAUL H

ART UNIT PAPER NUMBER

2141

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/941,709

Applicant(s)

HOMMA, HIROKI

Examiner

Paul H. Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-5 were previously withdrawn. Claims 9-21 are newly added. Claims 6-21 are now pending. Claims 6-21 are rejected.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 6-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Gifford et al., US Patent Application No. 2002/0131561 A1.

4. As to claim 6, Gifford teaches a method of transferring at least one message stored in a message service center (MSC), the method comprising:

storing, at the MSC, at least one message from a calling party that calls a telephone number of the user (§§0141-0154); and

sending, from said MSC via a network connection, an electronic mail message to the electronic mail address of the user that is registered, wherein the electronic mail message comprises message storage data of the at least one message that is stored including calling party identification data that identifies the calling party (§§0141-0158).

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5. As to claim 7, Gifford teaches a method of transferring at least one message stored in a message service center (MSC), the method comprising:

registering an electronic mail address of a user (¶¶ 0103-0117);

registering, at the MSC, transfer service class data that indicates a format of messages to be sent to the user, wherein the transfer service class data indicates one of a combination of audio and text, either one of audio and text, and a combination of video together with either one of audio and text (¶¶ 0103-0117, 0155-0156);

storing, at the MSC, at least one message from a calling party that calls a telephone number of the user (¶¶ 0141-0154); and

sending, from said MSC via a network connection, an electronic mail message to the electronic mail address of the user that is registered according to the format indicated by the transfer service class data, wherein the electronic mail message comprises message storage data of the at least one message that is stored including calling party identification data that identifies the calling party (¶¶ 0141-0158).

6. As to claim 8, Gifford teaches a method of transferring at least one message stored in a message service center (MSC), the method comprising:

registering an electronic mail address of a user (¶¶ 0103-0117);

registering, at the MSC, transfer service class data that indicates a format of messages to be sent to the user, wherein the transfer service class data indicates one of a combination of audio and text, either one of audio and text, and a combination of video together with either one of audio and text (¶¶ 0103-0117, 0155-0156);

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storing, at the MSC, at least one message from a calling party that calls a telephone number of the user (¶¶0141-0154); and

sending, from said MSC via a network connection, an electronic mail message to the electronic mail address of the user that is registered according to the format indicated by the transfer service class data, wherein the electronic mail message comprises message storage data of the at least one message that is stored including calling party identification data that identifies the calling party and a uniform resource locator (URL) that identifies the location of the at least one message, which is stored at the MSC (¶¶0141-0158);

displaying, on a remote terminal connected to said MSC via the network connection, storage data of a plurality of messages stored at the MSC and selecting storage data corresponding to one of the messages from the data that is displayed by selecting a URL linked to the storage data (¶¶0141-0158); and

sending, from the MSC to said remote terminal via said network connection, message, which is stored at the MSC, corresponding to the URL that is received (¶¶0141-0158).

7. As to claims 9, 16 and 21, Gifford teaches the invention wherein said message storage data further includes reception time data which indicates the length of the message (¶¶0141-0152).

8. As to claims 10, 17 and 22, Gifford teaches the invention wherein said at least one message comprises a voice mail message from the calling party (¶¶0141-0154).

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9. As to claim 11, Gifford teaches the invention wherein the voice mail message includes audio and video content (§§0156-0158).
10. As to claim 12, Gifford teaches the invention wherein the electronic mail message further comprises a uniform resource locator (URL) that identifies the location of the at least one message, which is stored at the MSC, and the user remotely retrieves the at least one voice mail message via the network connection based on the URL which is included in the electronic mail message (§§0156-0158).
11. As to claims 13, 18 and 23, Gifford teaches the invention further comprising converting the at least one message from voice format to a text format by performing a speech to text conversion and sending the at least one message in text format (§§0156-0158).
12. As to claims 14, 19 and 24, Gifford teaches the invention wherein the MSC stores the at least one message from the calling party that calls the telephone number of the user if said user does not answer a telephone call from said calling party (§§0155-0158).
13. As to claims 15, 20 and 25, Gifford teaches the invention wherein the network connection is an Internet connection (§0074).

***Response to Arguments***

14. Applicant's arguments with respect to claims 6-25 have been considered but are moot in view of the new ground(s) of rejection. The applicants argued in substance that the prior art of record failed to teach a system and method wherein a calling party calls a telephone number of the user. The new grounds of rejection teaches this feature.

***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

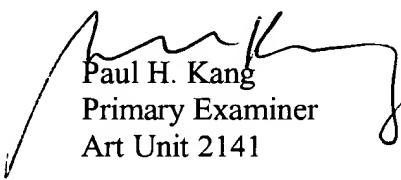
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul H. Kang  
Primary Examiner  
Art Unit 2141